

A regular meeting of the Council of the City of Blue Ash, Ohio, was held on December 15, 2005. Mayor Robert J. Buckman, Jr. called the meeting to order in Council Chambers at 7:00 PM.

***OPENING CEREMONIES***

Mayor Buckman led those assembled in the Pledge of Allegiance.

***ROLL CALL***

MEMBERS PRESENT: Councilman Rick Bryan, Mayor Robert Buckman, Councilman Lee Czerwonka, Councilman Henry Stacey, Councilwoman Stephanie Stoller, Councilman James Sumner, and Vice Mayor Mark Weber

ALSO PRESENT: City Manager Marvin Thompson, Solicitor Mark Vander Laan, Clerk of Council Jamie Eifert, Deputy Clerk of Council Sue Bennett, Assistant City Manager David Waltz, Treasurer/Administrative Services Director James Pfeffer, Parks & Recreation Director Chuck Funk, Service Director Dennis Albrinck, Police Captain Jim Schaffer, Assistant Service Director Rich Dole, member of the press, and interested citizens

Mayor Buckman administered the oaths of office to Councilman Jim Sumner and Solicitor Mark Vander Laan who were not present at the December 1<sup>st</sup> swearing-in ceremonies.

***PUBLIC HEARING: 7:00PM – consideration of a special use permit and related development for a residential group home at 4680 Hunt Road (Ordinance No. 2005-72)***

The Clerk was asked to read in its entirety Ordinance No. 2005-72.

THEN WAS PRESENTED AND READ IN ITS ENTIRETY:

ORDINANCE NO. 2005-72

APPROVING A SPECIAL USE PERMIT AND RELATED DEVELOPMENT PLAN FOR A RESIDENTIAL GROUP HOME UNDER SECTION 1121.01(84), 1149.03(A)(6) AND CHAPTER 1183 OF THE CODIFIED ORDINANCES OF THE CITY OF BLUE ASH IN THE R-3 RESIDENTIAL DISTRICT ON PROPERTY LOCATED AT 4680 HUNT ROAD (HAMILTON COUNTY AUDITOR'S BOOK 612, PAGE 50, PARCELS 300, 301, 302, AND 463)

Attorney Jason Tonne and James Steele, Executive Director of the Halom House, were present to represent the project. Mr. Tonne explained that the Halom House is requesting a special use permit to convert a currently vacant property, formerly used as the Church of the Nazarene, to use as a residential group home, the Halom House. The Halom House is currently located in Roselawn and has been at that location for more than 20 years. He commented that when the renovations to the former church building are complete, the property will have an improved appearance (as was shown on the colored rendering), including improved landscaping and increased green space. Their goal is for the building to blend into the surrounding residential neighborhood. Eight persons with developmental disabilities, along with three staff, will occupy the home 24 hours a day. Much study has been done nationwide regarding the effects of such a group home on surrounding properties, and there is no evidence that such a home has a detrimental affect on surrounding properties. They chose this Blue Ash location because of the sense of community and its proximity to the bus line as well as area retail and food establishments.

In addressing questions from Council, the following comments were made:

?? There will be eight residents, and all currently work every weekday. The number of occupants would not be allowed to increase due to stringent State guidelines.

?? Councilman Sumner commented that he looks forward to their being a part of Blue Ash. He mentioned that this is a grassroots organization that wants to be part of the neighborhood and that some of the parents of the residents live relatively close and will visit often.

Patricia Bernard, owner of 4629 and 4641 Hunt Road, presented a petition signed by numerous residents. The petition introduction was as follows:

“This petition is in response to the notice of a public hearing which will consider granting a special use permit to open a residential group home in the former Church of the Nazarene at 4680 Hunt Road. We oppose this motion.

Our area consists of residential, one family modestly priced homes with a diverse age group from infants to the elderly. The residents feel the opening of a group home will negatively impact the following: public safety (due to a possible increase in ambulance and fire concerns), public utility issues (especially in sewage and sanitary conditions) and raise serious concerns about the facility itself especially regarding construction, facility residents, facility workers, and the residents’ families, and facility maintenance. Most importantly we feel this facility will compromise our community and cause the devaluation of the surrounding properties.

We are strongly opposed to the location of a group home at this address, and we urgently request that our council representatives do not endorse this motion.”

It is her belief that a public hearing should be held before the time a project is before Council for formal passage.

Pam Hudson, 4220 Turf Lane (Green Township), commented that she lives within 300 yards from a similar residential group home and that she has never had any problems with the home or its residents.

Amber Baas, 4641 Hunt Road, asked Council not to approve such a development which would be across from her home. She asked who would be responsible if something would happen.

Barry Wolfson, 4437 Edenton Lane, commented that he believes the community would benefit from this house. He has lived in Blue Ash for eight years. He grew up in Roselawn, and commented that the residents would benefit so much from a new Blue Ash location. He commented that Blue Ash is a perfect location to raise a family and to have a group home such as Halom House, and he feels wonderful to be associated with a community that would welcome such a home.

Debbie Burris, 9724 Ridgeway Avenue, commented that she believes this would be a good location and neighborhood for such a home. She is the parent of a mentally disabled child, and that she feels comfortable with him being a part of the community. In her opinion, a neighbor who does not take care of their property is more of a detriment than a residential group home. She looks forward to welcoming these new neighbors.

Cecelia Kloecker, 9264 Bluewing Terrace, commented that she lives less than three blocks from another group home in Blue Ash – the Geier home operated by Hamilton County on Hunt near Ronald Reagan Highway. Her neighborhood has not suffered because of that home’s proximity and has not experienced a reduction in property values. She hopes the Halom House is warmly welcomed.

Susan Meyers, 9588 Linfield Drive, commented that she moved from Florida to Blue Ash in November. She chose Blue Ash because of its ambiance. She has three children in the Sycamore Schools, and she was surprised to see signs of protest regarding this home. She has one child with Down’s Syndrome, and has adopted two more children with Down’s. She stressed that just because they are developmentally disabled does not mean that they are stupid. People with such disabilities need all of the support of a community, and she

encouraged Council to vote for this special use permit.

Kathy Pfaendtner, 9678 Lansford Drive, commented that she often walks by the property in question and commented that she believes it is an eyesore in its current state. She commented that such a home would only be an asset and that she would be proud to be in a city with such a group home. She looks forward to continuing her frequent walks past the property.

Ron Bernard, owner of 4629 and 4641 Hunt Road, commented that his main concern would be the strain that additional shower and kitchen facilities would have on the existing utilities. His properties frequently experience sewer problems and he is concerned with the additional impact of eight additional residents.

Craig Lewis, 9477 Highland Avenue, commented that he and his wife believe this would be a good location for a group home. He has worked with special education in the past and is aware of the value of a group home. He encouraged citizens to not put stumbling blocks in front of people with disabilities.

Betty Brooks, 9470 Blue Ash Road, commented that she has friends with children who have disabilities and that she looks forward to the opportunity to welcome these residents into the neighborhood.

Tom Gannon, 4673 Belleview Avenue, has lived in Blue Ash for 21 years. He welcomes a residential group home. He commented that people with disabilities have enriched his life and he looks forward to having more in his community.

Doug Sullivan, 9483 Highland Avenue, commented that he has a concern with the additional strain on the already problematic utilities in the area, including sewers and electric service.

Rozelle Rosenblat, an Amberley Village resident, commented that she looks forward to the relocation of the home to Blue Ash, as her daughter is one of the residents. The home needs to be in a place where there is more help for them nearby. She encouraged Council to allow this move to happen.

Tom Eamoe, Executive Director of ARC of Hamilton County (which will be celebrating its 60<sup>th</sup> anniversary in 2006), commented that ARC is an independent non-profit organization. He commented that the Halom House offers excellent services to its residents. He has worked as a developmental disability advocate for 30 years and it is his opinion that Halom House is a very well run and sound organization. Research has indicated that such a home does not negatively impact neighborhoods.

Elaina Stuard, 9514 Longren Court, commented that she would be happy to have this home next to hers. She commented that to have such a strong and sound organization part of the community would be a plus and urged others to look at them as an ally and as possible assistance in resolving current utility problems. She urged fellow citizens to welcome these people as a part of the community.

Brian Bowen, 9398 Blue Ash Road, asked if there were any main requirements for enrollment and if there was much turnover.

Barry Schwartz, 11294 Cornell Woods Drive, commented that he has a daughter who is handicapped and that she is doing well in the Sycamore Schools. He explained that she is not considered a threat to other families in his neighborhood and that developmentally disabled people are good people who are just a little different. He suggested that the Halom House might make a better neighbor than some already residing in the area.

Gary Botkins, 4625 Hunt Road, commented that his home is five homes away from the location. He commented on water problems he has had and that he knows the church has also experienced as well.

Ron Harris, 9528 Highland Avenue, commented that he has worked with handicapped people and asked what Blue Ash would do if something happens. He commented on the young black man which frequents the area streets during early hours of the morning.

Hope Bard, 3709 Donegal, Sycamore Township, commented that she would soon be moving her office to Blue Ash. Several of the residents of Halom House would be volunteers for her. In her previous place of residence in Pennsylvania, a similar home was nearby and caused no detrimental affects on property values.

Lee Holmes, 4572 Edward Avenue, asked the ratio of men and women residing in this home and how the building would be changed on the inside.

Gary Glass, 9471 Tramwood, commented that he is in favor of such a home. His concern relates to the process, as it appears area residents did not know about this proposal in a timely manner.

Laurel Wolfson, 4437 Edenton Lane, commented that it appears the negative comments don't relate to the Halom House specifically; however, there do appear to be objections to the process followed.

In addressing the question posed above, the following information was provided by the City and applicants:

- ?? Regarding potential safety concerns, Mr. Thompson commented that the Blue Ash Police checked with the Cincinnati police regarding the current Halom House. Cincinnati indicated that they have never had a safety problem at the house and that they have a great reputation with Cincinnati. The residents will be supervised 24 hours a day. This is an unfounded fear in Mr. Thompson's opinion.
- ?? Regarding the sewer concerns, Mr. Thompson commented that there have been problems with the sewer that MSD is trying to resolve. It is his belief that new taps would not have a negative impact on the existing situation. A family with six children would have no different affect on the system.
- ?? Regarding the process of notification, Mr. Thompson commented that all City ordinances and State law has been followed in regards to notification. This project has been treated no differently than any other special use permit request of the City for the past several decades. Agendas for both Planning Commission and Council are sent to the press and the technical legal advertisement requirement was placed in the local paper.
- ?? Mr. Steele explained that the Home resides four men and four women. There has been no turnover in residents since the home opened over 20 years ago, and there is little turnover in staff. There is currently a waiting list of over 600 people to live in the group home. He described briefly the plans for offices and bedrooms on the interior of the building.
- ?? Mr. Steele explained that most of the residents would have to be accompanied when walking outside the facility.

Mayor Buckman declared the hearing closed at approximately 7:54PM.

Mayor Buckman appointed Parks & Recreation Director Chuck Funk and Service Director Denny Albrinck to read the legislation in its entirety in the rear of Council Chambers. Mr. Buckman explained to the audience that anyone interested in hearing the ordinances and resolutions read in their entirety is welcome to move to the rear of the Chambers. He also mentioned that written copies of the legislation on tonight's agenda may be found on the ledges near the City Administration's desks.

### **ACCEPTANCE OF AGENDA**

Councilwoman Stoller moved, Councilman Weber seconded to accept the revised agenda. A voice vote was taken. All members present voted yes. Motion carried.

1. MEETING CALLED TO ORDER
2. OPENING CEREMONIES
3. ROLL CALL - Clerk of Council Jamie K. Eifert
4. Administration of Oaths of Office to Councilman James W. Sumner and Solicitor Mark A. Vander Laan
5. PUBLIC HEARING: 7:00PM – consideration of a special use permit and related development for a

- residential group home at 4680 Hunt Road (Ordinance No. 2005-72)
- 6. APPOINTMENT OF PERSON(S) TO READ ORDINANCES IN FULL IN REAR OF COUNCIL CHAMBERS
- 7. ACCEPTANCE OF AGENDA
- 8. APPROVAL OF MINUTES
  - a. Budget Study Session of November 28, 2005
  - b. Council Swearing-In Ceremonies of December 1, 2005
- 9. COMMUNICATIONS
  - a. Communications to Council - Clerk of Council Jamie K. Eifert
  - b. Reports From Outside Agencies
  - c. Mayor's Report – November 2005 – Honorable Robert J. Buckman, Jr.
  - d. Financial Report – Motion to accept the report for November 2005
- 10. HEARINGS FROM CITIZENS
- 11. COMMITTEE REPORTS
  - a. Planning & Zoning Committee, James W. Sumner, Chairperson
    - 1. Ordinance No. 2005-72, approving a special use and related development plan for a residential group home at 4680 Hunt Road
    - 2. Ordinance No. 2005-76, authorizing a professional services contract with IBI for electrical inspections
  - b. Finance & Administration Committee, Rick Bryan, Chairperson
    - 1. Ordinance No. 2005-77, transferring funds
    - 2. Ordinance No. 2005-73, adopting the Year 2006 Proposed Budget
    - 3. Ordinance No. 2005-75, adopting the Year 2006 pay plan and related items
    - 4. Ordinance No. 2005-78, authorizing a lease of Creek Road property
    - 5. Ordinance No. 2005-83, authorizing extension agreements with the International Association of Firefighters (IAFF)
  - c. Parks & Recreation Committee, Lee Czerwonka, Chairperson
    - 1. Ordinance No. 2005-79, establishing a framework for the administration of Blue Ash special events in 2006
    - 2. Resolution No. 2005-19, revising Golf Course fees in 2006
  - d. Public Works Committee, Henry S. Stacey, Chairperson
    - 1. Ordinance No. 2005-80, awarding a bid and multi-year contract for solid waste refuse collection and recycling
    - 2. Motion authorizing the solicitation of bids for street striping materials; street sign materials; guardrail materials; curb, gutter, and concrete construction and restoration; sidewalk construction; construction and demolition debris disposal services; work associated with storm sewer upgrades; residential household drop-off hazardous waste disposal services; traffic control systems and equipment, including signal improvements planned at Glendale-Milford and Plainfield Roads; 2006 street program and other road improvement projects; aggregates, asphalt, and other resurfacing material; piping material; storm sewer material; Service Department vehicles and equipment; installation of raised pavement markers; bulk rock salt; traffic line painting; extruded curb installation; fencing materials; tree trimming and removal services; and sale/disposal of excess property and equipment
  - e. Public Safety Committee, Stephanie Stoller, Chairperson
    - 1. Resolution No. 2005-20, electing members to the Volunteer Fire Fighters' Dependents Fund Board
    - 2. Ordinance No. 2005-81, authorizing the purchase of replacement police cruisers from the State's bid list
    - 3. Ordinance No. 2005-82, authorizing contract with Youth Services for Year 2006
    - 4. Motion authorizing the solicitation of bids for public safety vehicles; communications and paging equipment; rescue tools and related equipment; surveillance, investigative, and general police equipment; fire and EMS emergency equipment and apparatus; and sale/disposal of surplus property, equipment, and vehicles
- 12. MISCELLANEOUS BUSINESS
- 13. ADJOURNMENT"

***APPROVAL OF MINUTES***

Councilwoman Stoller moved, Councilman Stacey seconded to approve the minutes of the Budget Study Session of November 28, 2005 and the Council swearing-in ceremonies of

December 1, 2005. A voice vote was taken. All members present voted yes. Motion carried.

**COMMUNICATIONS**

**Communications to Council**

There were no communications presented to Council.

**Reports From Outside Agencies**

There were no representatives from outside agencies present at the meeting.

**Mayor's Report – November 2005**

RECEIPTS:

Fines.....	\$28,263.00
Bonds & BMV fees carried over.....	\$200.00
Interest Earned.....	\$11.30
Bonds collected.....	\$361.00
TOTAL RECEIPTS:.....	\$28,835.30

DISBURSEMENTS:

To Blue Ash (fines/costs/interest/Expungements/forfeitures)	\$20,619.30
To the State of OH.....	\$7,640.00
Refund of Overpaid Fine.....	\$0.0
Bond Money applied.....	\$211.00
Bond Money returned.....	\$0.00
BMV.....	\$15.00
TOTAL DISBURSEMENTS.....	\$28,485.30
BALANCE IN BONDS:.....	\$350.00
Mayor's Court traffic citations.....	330
Mayor's Court criminal citations.....	12
TOTAL.....	342
Nov. rev.from Mayor's Ct. Cases:	\$20,619.30

**Financial Report – November 2005**

Councilwoman Stoller moved, Councilman Stacey seconded to accept the Financial Report for November 2005 as submitted. A voice vote was taken. All members present voted yes. Motion carried.

**CITY OF BLUE ASH FINANCIAL POSITION STATEMENT  
FOR THE MONTH ENDING NOVEMBER 30, 2005**

MONTH TO DATE	2004	2005
START OF MONTH FUND BALANCE: 11-1-05	\$8,063,071.43	\$10,406,188.87
<b>Revenues:</b>		
Earnings Tax Collections:	\$1,891,458.88	1,337,406.14
Debt Financing (long term)	0	3,700,000.00
Debt Financing (short term)	0	1,500,000.00
Other Revenue Received:	<u>840,796.28</u>	<u>872,435.07</u>
= Total Monthly Receipts	2,732,255.16	7,409,841.21
<b>Expenditures:</b>		
Bond Retirement	-	-
Short term debt refinancing	-	6,100,000.00
Other Expenditures:	<u>1,939,079.55</u>	<u>1,932,719.36</u>
= Total Monthly Expenditures:	<u>-1,939,079.55</u>	<u>-8,032,719.36</u>
<b>ENDING FUND BALANCE: 11-30-05</b>	8,856,247.04	9,783,310.72
<b>YEAR TO DATE</b>	<b>2004</b>	<b>2005</b>
START OF YEAR FUND BALANCE:	9,092,894.75	14,622,289.87
<b>Revenues:</b>		
Earnings Tax Collections:	19,142,138.94	21,018,043.29
Debt Financing (long term)	0	3,700,000.00
Debt Financing (short term)	5,100,000.00	1,500,000.00
Other Revenue Received:	<u>9,194,697.87</u>	<u>9,594,561.17</u>
= Total Monthly Receipts	33,436,836.81	35,812,604.46
<b>Expenditures:</b>		
Bond Retirement	2,460,000.00	2,460,000.00
Short term debt refinancing	3,100,000.00	11,200,000.00
Other Expenditures:	<u>28,113,484.52</u>	<u>26,991,583.61</u>
= Total YTD Expenditures:	<u>-33,673,484.52</u>	<u>-40,651,583.61</u>
<b>YTD FUND BALANCE</b>	8,856,247.04	9,783,310.72

100% of the fund balance was invested as of 11-30-05. Interest paid to date on matured investments: \$290,474.42. Receipt and expenditure figures do not include interfund transfers.

**BLUE ASH INCOME TAX DIVISION INCOME TAX RECEIPT SUMMARY  
FOR MONTH ENDING NOVEMBER 30, 2005**

MONTH-TO-DATE STATUS	2004	2005
Business Net Profit	463,177.73	52,865.77
Resident Net Profit	30,629.49	30,147.93
Non-Resident Net Profit	10,500.43	5,137.01
Subcontractor Net Profit	<u>716.00</u>	<u>1,604.60</u>
Net Profit Total	505,023.65	89,755.31
Withholding	1,357,884.79	1,226,578.30
Subcontractor Withholding	<u>28,550.44</u>	<u>21,072.53</u>
Withholding Total	<u>1,386,435.23</u>	<u>1,247,650.83</u>
Monthly Collection Totals	1,891,458.88	1,337,406.14
<b>YEAR-TO-DATE STATUS</b>	<b>2004</b>	<b>2005</b>
Business Net Profit	3,158,484.39	4,821,117.38
Resident Net Profit	691,444.48	758,562.18
Non-Resident Net Profit	199,847.96	233,685.81
Subcontractor Net Profit	<u>17,324.76</u>	<u>16,757.58</u>
Net Profit Total	4,067,101.59	5,830,122.95
Withholding	14,816,971.79	14,939,033.79
Subcontractor Withholding	<u>258,065.56</u>	<u>248,886.55</u>
Withholding Total	<u>15,075,037.35</u>	<u>15,187,920.34</u>
YTD Collection Totals	19,142,138.94	21,018,043.29
YTD Refund Totals	<u>814,684.74</u>	<u>620,782.01</u>

***HEARINGS FROM CITIZENS***

No citizens wished to address Council.

***COMMITTEE REPORTS***

Prior to the Council meeting, Council members received the following report describing

agenda items:

The following offers a brief description of the items included on the December 15th Council Agenda:

**5. and 11.a.1. Ordinance No. 2005-72 - Approving a special use and related development plan for a residential group home at 4680 Hunt Road**

As Council is aware, the City is in receipt of an application for a special use permit for the location of the Halom House, Inc. at 4680 Hunt Road. The Halom House proposes to upgrade the currently vacant church building and operate a residential group home for mentally disabled adults. Plans include reconfiguring the existing interior; an addition of living area to the west side of the building; a new roof, windows, and siding; striping of the asphalt parking area; enclosure of the dumpster; a new lawn in the location of current gravel parking areas; and additional landscaping, including trees. The home would house eight adults with mental retardation and developmental disabilities. They would reside in the home 24 hours, and there would be 24-hour supervision of the occupants. There would also be room for office space for three employees and a respite room for periodic short stays. None of the occupants would drive vehicles; however, an Access van operated by Metro would transport residents to and from work on weekdays.

The ordinance would approve the special use permit (as one of the defined special uses allowed within the R-3 Residential District), and would also approve the related plan. The Administration recommends approval of the ordinance as the applicant has worked closely with the City, as well as addressing concerns of area residents, throughout the process. A check with the Cincinnati Police Department has revealed that there have been no safety-related problems with their facility in Roselawn. It is expected that a representative from the Halom House will be present at the meeting to address questions and concerns from Council and the public.

Please address questions regarding this ordinance to the Assistant City Manager.

**11.a.2. Ordinance No. 2005-76 - Authorizing a professional services contract with IBI for electrical inspections**

Ordinance No. 2005-76 authorizes a one-year contract with Inspection Bureau, Inc. (IBI) for professional electrical inspections (including plan reviews) for 2006. As Council may recall, an earlier thought was to utilize the City's contractual inspection corporation, National Inspection Corporation (NIC), for electrical inspection services in addition to their other areas of responsibilities. However, since NIC was relatively new to Blue Ash at the time, it was the desire of Council to continue with IBI until the City was completely comfortable with this relatively new provider, NIC. It is possible that for future contracts, the City Administration may recommend moving forward with the original thought of having NIC perform the electrical inspections assuming the relationship and work performance of NIC continues satisfactorily through the year. However, in the meantime, the desire is to have IBI continue with these responsibilities in 2006. The ordinance authorizes the one-year contract (for 2006) for the rates that are based upon IBI's standard governmental schedule.

Please address questions regarding this ordinance to the Assistant City Manager.

**11.b.1. Ordinance No. 2005-77 - Transferring funds**

Very few adjustments are necessary in this final transfer of 2005. No additional revenue or expenditure appropriations are required, nor are any additional expenditure appropriations needed from prior year excess fund balances. There are a number of shifts, or transfers, within existing expenditure appropriations, as reflected on the attachment to this ordinance.

The first item for \$900 involves a shift within the Golf Course Programming area to assist with paying the final utility bill. The next two items for the Fire Department involve a shifting of resources to purchase replacement fire-resistant uniform/clothing for the Fire Department staff. There are two items involving moving funds related to wrapping up the DART fund grant account (#282). The final item replenishes funding for the Parks Construction area related to repairing damage this summer to the Crosley scoreboard.

Please address questions regarding this ordinance to the Treasurer.

**11.b.2. Ordinance No. 2005-73 - Adopting the Year 2006 Proposed Budget**

At the November 28th Council Budget Study Session, Council reviewed the 2006 Proposed Budget as presented by the City Manager. This document, which reflects total available revenues of \$40,580,202.18 (including estimated beginning fund balances) and expenditures of \$40,105,737.56 (both figures being net of transfers and advances), forms the basis for Ordinance No. 2005-73 and its attachments.

Favorable consideration of Ordinance No. 2005-73 will permit the City to operate on an interim appropriations ordinance basis until the Final Budget is prepared for submission at the first meeting in January. The Proposed Budget's revenues and expenditures will be adjusted for actual year-end fund balances and encumbrances, and for any other modifications that become

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necessary as a result of activity since the Proposed Budget was prepared.

As the Final Budget comes together, City Council will be updated as to recommended adjustments to the Proposed Budget.

Please address questions regarding this ordinance to the City Manager or Treasurer.

**11.b.3. Ordinance No. 2005-75 - Adopting the Year 2006 pay plan and related items**

Ordinance No. 2005-75 addresses the annual general increase for the pay plan, as well as related issues affecting Chapters 131 and 133 of the Code. The recommended changes include the addition of two classifications that help to clarify present positions within the overall organization and a minor restructuring of the Police Department.

- ?? The first recommendation affecting Section 131.07-1 provides for annual changes to the City's pay plan and related code sections. The annual adjustment as proposed by Administration is a 4% increase for full-time and part-time non-bargaining unit employees.
- ?? The second recommendation involves the upgrade of an existing position in the Facilities Maintenance area. This position will be responsible for managing and maintaining all janitorial responsibilities under the supervision of the Facilities Superintendent. The position will also serve as support for the various events that are coordinated throughout the City. Included in this proposal is a reduction of one position of Laborer III, presently within the Facilities Maintenance Division.
- ?? The third recommendation concerns several adjustments in the Police Department, which would allow for a more even distribution of supervisory responsibilities.
  - o The first proposal involves the addition of a position titled "Police Administrative Assistant". This position will be responsible for research, grant writing, inventory, etc. This proposal also includes the elimination of one Secretarial position within the department, representing an upgrade of an existing position.
  - o The second proposal concerns the number of Lieutenants in the Police Department. Currently 6 of the 8 Sergeants report to one Captain, which limits span of control. The proposed change restores two former Lieutenant positions, which will allow for a more even distribution of responsibility. At the same time, the job descriptions for each of these classifications were revisited and revised to incorporate the proposed changes. The increase in Lieutenants positions is offset by a reduction in Sergeants positions. A separate memo from Captain Jim Schaffer has been included as well.

The Civil Service Commission reviewed the proposed amendments to the pay plan and related code sections affecting Civil Service provisions on December 8, 2005. Upon careful assessment and evaluation of the proposed changes, the Commission has recommended the changes for adoption by City Council.

Regarding the attachment to the ordinance related to DART, 131.07-2(b), this is necessary only to cover appropriate pay through the end of calendar year 2005 (the City's regular pay plan ends December 16, 2005). Effective January 1<sup>st</sup>, employees of DART will no longer be considered employees of Blue Ash.

Please direct any questions regarding this ordinance to the City Manager.

**11.b.4. Ordinance No. 2005-78 - Authorizing a lease of Creek Road property**

In late October 2005, the City of Blue Ash closed upon the vacant warehouse property located at 4391 Creek Road. This property, previously occupied by Eagle Electric Services, was listed with a commercial real estate broker for \$650,000. Utilizing the authority provided to the Administration under Ordinance No. 2005-49, an offer was presented and accepted, environmental assessments were completed, and the closing occurred without complication. All utilities have been converted to the City's name, and full liability and property insurance coverage is in place on the one-acre parcel of land and the building which houses office and warehouse space.

The acquisition of this property was accomplished to assist the City's economic development efforts related to expanded employment by an existing Blue Ash business located adjacent to this property. Economic Development Director Judy Clark has been working with that business to finalize the timetable and the arrangements, and the Administration has been working with Dinsmore & Shohl to develop a framework for the lease arrangement expected to be utilized. The business has agreed, in concept, with the following framework which will be incorporated into the actual lease agreement:

1. The lease agreement, which will include an option to buy, will be a formal arrangement in a format approved by legal staff for the business and by the City Solicitor's office. We have some flexibility as to the term, but it cannot exceed five years.

2. City Council must approve the City's lease of this property to the business, which favorable consideration of Ordinance No. 2005-78 would accomplish.
3. The arrangement would be considered a "net lease," meaning that while the City would insure the building for property damage, the tenant would be responsible for liability coverage and insurance on contents and equipment; all utilities, trash collection, alarm systems, routine maintenance of the building and parking lots; grass mowing and landscaping; and upkeep to plumbing and HVAC equipment. Essentially, the tenant would care for the leased building as if it belonged to them as to upkeep, appearance, condition, and repairs. The tenant would also pay all real estate taxes, and would be responsible for any costs related to "tenant finish," or alterations to the building to accommodate their requirements.
4. The tenant could not sublet any portion of the premises, and the initial environmental status will be documented before their occupancy. No deterioration of the environmental condition of the building will be permitted during their use of the property.
5. The proposed first year rent for the facility is \$36,000, increasing to \$42,000 in 2007, to \$48,000 in 2008, to \$50,400 in 2009, and the final year rent would be \$54,000 in 2010.
6. The lease would provide an option for the tenant to purchase the property anytime during the term of the lease. The purchase price would be a steadily increasing base price plus any major repairs that the City, as the landlord, would have to incur for the property. The base price in 2006, the proposed first year of the lease, would be equivalent to the City's purchase price of \$625,000. The base purchase price increases by \$25,000 every year until the fifth year at which the purchase price would be \$725,000. The base price would be increased for any significant improvements or repairs the City had to incur (such as a new roof), on the facility during the lease term. The tenant would be given a credit of 100% of all the rent paid during the first two years if they exercise the option to buy, and 75% of the total lease payments for an option exercised for the last three years.

As an example, if the purchase option was exercised at the end of year three, the cost to the buyer would be:

2005 City Cost =	\$625,000
2008 Option Price =	\$675,000
Less amount paid:	
2006	\$36,000
2007	\$42,000
2008	<u>\$48,000</u>
	\$126,000 x .75 = <u>(\$94,500)</u>
Purchase price end of Year 3 =	\$580,500

We have included our September 13, 2005 memo that provides a listing of all of these items in hopes that it will address any questions that Council may have.

The expanding business has asked that the City provide them a draft copy of the full lease agreement, and we are working to accomplish that objective. That agreement will be crafted around the items described here and in the enclosed memo.

Please address questions regarding this ordinance to the Treasurer (745-8507 or [jpfeffer@blueash.com](mailto:jpfeffer@blueash.com)) or to Judy Clark's office at 745-8524 (or [jclark@blueash.com](mailto:jclark@blueash.com)).

**11.c.1. Ordinance No. 2005-79 - Establishing a framework for the administration of Blue Ash special events in 2006**

At a late 2003 Council meeting, Parks & Recreation Director Chuck Funk presented to Council a proposed change in the way the City and the Parks & Recreation Department plans, organizes, and financially administers the City's major special events. He recommended that all such events be organized and administered through the City of Blue Ash, including the utilization of the City's Finance Division for all receipting of revenues, for the tracking of contracts, and for recording expenditures for each event.

This new framework was utilized throughout 2004 and 2005, and the City Manager, Parks & Recreation Director, and Treasurer are recommending this practice be continued in 2006. Ordinance No. 2005-79 acknowledges and confirms that the City's major special events, including SummerBration, the Fourth of July (Red, White & Blue Ash), Taste of Blue Ash, and Heritage Day, are City events, and thus should be fully planned, organized, and administered by the City Manager through the Parks & Recreation Department.

Beginning in the 2004 event season, no sponsors or other groups or agencies (including the Taste of Blue Ash, Inc.) were utilized for contractual, financial, operational, or decision making purposes. All event revenues, irrespective of source, were and will be deposited within an event-specific revenue account established within the City's accounting structure. All expenditures relating to each event will be made through the City's Finance Division, and will be tracked utilizing an event-specific expenditure account as well. It is hoped that utilization of the City's financial and accounting systems, as well as the related annual review by the State Auditor's office, will improve accountability and reportability regarding these events.

As these efforts centralize event responsibility within the City Administration, the ordinance seeks Council's authorization for the Administration to execute and administer contracts of all types and amounts affecting these events. It is recommended that all contracts in excess of \$10,000 be signed by both the Parks & Recreation Director and the City Manager, while contracts of a lesser amount may be signed by the Parks & Recreation Director under a written designation of authority from the City Manager.

There are many types of services or contracts that are necessary for the successful presentation of these larger events. Examples would include professional sound, back-line, and lighting services; promotional services; event power services; pyrotechnical (fireworks) displays; entertainment coordination services; audio-visual services; multi-media services; equipment rental and concession/beverage arrangements; and site security. Others would include restaurant participation, event performer agreements, agent contracts, staging services, housing and transportation arrangements, printing, and others. The ordinance seeks authorization for the City Manager and a specified designee to be able to enter into these contracts, and for the City to move forward with the managerial and financial administration of those contracts utilizing the City's staff and financial reporting capabilities.

Where appropriate, informal quotations will be requested from providers to secure the best price, terms, and service for the event and for the City. However, no contractual categories are expected to be formally bid for these special events. It is expected that the Parks & Recreation Department will continue to rely upon, and involve, citizen input groups and support, such as the Special Events Committee, in the administration of these events. Steering committees or subcommittees may be appointed by the Parks & Recreation Director for the larger activities as well.

The City Manager and the Parks & Recreation Director anticipate that a report on the City's 2005 events will be included in the City Manager's 2005 annual report to Council in February or March 2006. The Administration was pleased with this framework throughout the past two years as it offered greater coordination, better controls, more accurate financial reporting, and greater awareness than in past years.

Please direct questions regarding this ordinance to the Parks & Recreation Director.

**11.c.2. Resolution No. 2005-19 - Revising Golf Course fees in 2006**

As was discussed during the Budget Study Session, the Golf Pro and Parks & Recreation Director are recommending slight changes to the fee structure for the golf course. The following offers a summary of the changes proposed:

The "regular" season is recommended to be changed from its current "March through October" to be March 15<sup>th</sup> through September." A separate fee schedule (including lower rates) is instituted for October only (i.e., "fall" rates), and the "winter" rates would then be in place from November through March 14<sup>th</sup> (the lowest rates offered). A summary of those proposed changes is below:

CATEGORY	18 holes current	18 holes proposed change	9 holes current	9 holes proposed change
<b>REGULAR RATES FOR WEEKDAYS, WEEKENDS &amp; HOLIDAYS – FOR THE MARCH 15<sup>TH</sup> THROUGH SEPTEMBER PERIOD</b>				
Regular	\$27	\$29	\$14	\$15
Senior/Disabled*	\$23	\$24	\$12	\$13
Junior	\$12	\$12	\$7	\$8
Spectator Fee	\$5	\$5	\$5	\$5

CATEGORY	18 holes current	18 holes proposed change	9 holes current	9 holes proposed change
<b>REGULAR RATES FOR WEEKDAYS, WEEKENDS &amp; HOLIDAYS – FOR THE NOVEMBER THROUGH MARCH 14<sup>TH</sup> PERIOD - “WINTER” RATES</b>				
Regular	\$20	\$22	\$10	\$11
Senior/Disabled*	\$17	\$19	\$9	\$10
Junior	\$9	\$10	\$5	\$5
Spectator Fee	\$5	\$5	\$5	\$5

<b>REGULAR RATES FOR WEEKDAYS, WEEKENDS &amp; HOLIDAYS OCTOBER ONLY – “FALL” RATES</b>		
CATEGORY	18 holes	9 holes
Regular	\$20	\$10
Senior/Disabled*	\$17	\$9
Junior	\$9	\$5
Spectator Fee	\$5	\$5

A final recommended change related to golf fees relates to the creation of a “corporate membership.” The proposed fee associated with this new corporate membership would be \$2,999 annual fee which would include unlimited golf at the course for two persons to be designated by the company, 20 complimentary rounds (18 holes, including two carts) for guests, and a \$200 food and beverage credit at the Sandtrap Sandwich Shop (excluding alcohol). Also, the company would have the option to add additional unlimited golf designees from the company for an additional \$550 each.

There are no changes proposed to the cart fees nor to any other fee associated with the Parks & Recreation Department functions and previous resolution (No. 2004-8) approved by Council. Please direct questions regarding this resolution to the Parks & Recreation Director or Golf Pro.

**11.d.1. Ordinance No. 2005-80 - Awarding a bid and multi-year contract for solid waste refuse collection and recycling**

This ordinance authorizes the City Manager to enter into a contract for solid waste and recycling collection and disposal services for a five-year period beginning March 1, 2006 and ending March 1, 2011. During November 2005, the City of Blue Ash solicited bids for solid waste collection, recycling collection, and disposal services as well as price requests for special events sanitary services. Bids were received, opened, and read aloud on December 1, 2005. A bid summary is attached reflecting the two bids received -- from CSI and Rumpke. The Service Department has determined that Rumpke has met all of the required specifications with no exceptions and recommends City Council approve a bid award to Rumpke as being the best and most responsive proposal concerning quality, service, performance record, and price.

Please direct any questions regarding this ordinance to the Service Director.

**11.d.2. Motion authorizing the solicitation of bids for street striping materials; street sign materials; guardrail materials; curb, gutter, and concrete construction and restoration; sidewalk construction; construction and demolition debris disposal services; work associated with storm sewer upgrades; residential household drop-off hazardous waste disposal services; traffic control systems and equipment, including signal improvements planned at Glendale-Milford and Plainfield Roads; 2006 street program and other road improvement projects; aggregates, asphalt, and other resurfacing material; piping material; storm sewer material; Service Department vehicles and equipment; installation of raised pavement markers; bulk rock salt; traffic line painting; extruded curb installation; fencing materials; tree trimming and removal services; and sale/disposal of excess property and equipment**

As is traditional at this Council meeting, this motion would authorize the potential formal bidding activity for Year 2006 within the public works activities of the City.

**11.e.1. Resolution No. 2005-20 - Electing members to the Volunteer Fire Fighters' Dependents Fund Board**

This resolution is presented each year to City Council for approving the continuation of a State-

required Volunteer Fire Fighters' Dependents Fund Board. The resolution selects the Councilperson designated as the chairperson of the Public Safety Committee and the Assistant City Manager to serve on this Board, as well as two other members nominated by the Fire Department. Resolution No. 2005-20 provides appointees to the Board for calendar year 2006. This fund, administered through the State of Ohio, provides the surviving spouse or dependents of a firefighter killed while discharging the duties of a firefighter, or who dies from exposure or injury received in the discharge of duty, monetary benefits which are in addition to other coverages provided by the City and the Ohio Public Employees Retirement System (OPERS). Therefore, in order to comply with State regulations, approval of this resolution is recommended.

Please direct questions regarding this resolution to the Fire Chief or Treasurer.

**11.e.2. Ordinance No. 2005-81 - Authorizing the purchase of replacement police cruisers from the State's bid list**

As is traditional this time of year, the replacement process for police cruisers is typically started. However, there has been a slight change since the Proposed Budget discussion as the Police have requested to purchase seven vehicles as compared to the six vehicles discussed at the Proposed Budget session.

Again this year, a vendor within the State's Cooperative Purchasing Program is able to offer the exact police cruisers (and related equipment) as desired by the Police Department at very reasonable prices. These cruisers are offered on the State's Bid list via StateWide Ford Lincoln Mercury, Inc., located in Van Wert, Ohio, for very reasonable prices. Ordinance No. 2005-81 authorizes the purchase of seven vehicles at \$142,639, less trade-in of six vehicles at \$22,600, with the net purchase amount being \$120,039.

Last year, City Council authorized funding for the purchase of a new software package for the Police Department, which was capable of serving as a database for tracking service calls, activity, and crime statistics. The installation of the software went relatively smoothly, and it has been in place for most of 2005. A cooperative review by Chief Wallace and Captains Lilley and Schaffer generated a report to the City Manager that the new program offers an opportunity to review not just the level of the "service needs," but also the timetable when such needs arise. Based upon their analysis, they have recommended to the City Manager the creation of a "power shift" to boost on-the-road patrol during those concentrated times (10AM to 6PM). To accomplish this objective, one additional patrol car was required. Although the potential exists to keep one of the older trades for this need, a review of the maintenance records, age, and condition of the vehicles would indicate that purchasing a new vehicle was the better option for the City. It was based upon that recommendation that the ordinance was prepared for seven vehicles, instead of six, representing a change that would be reflected in the Final Budget to be presented in January.

Please direct questions regarding this ordinance to the Police Chief.

**11.e.3. Ordinance No. 2005-82 - Authorizing contract with Youth Services for Year 2006**

This ordinance authorizes the City Manager to enter into a renewal contract with Youth Services of Reading, Ohio, to provide for the availability of youth and family counseling services. Youth Services has been very active in the City of Blue Ash and Sycamore Community School District in providing educational, advocacy, referral, counseling, and crisis intervention services for youth and families. Youth Services also works with the City in operating the Juvenile Diversion program. The City has enjoyed an excellent relationship with Youth Services and believes it is the most cost effective means for providing these types of professional services. The proposed allocation for 2006 includes an optional add-on for additional programming, making a not-to-exceed total of \$38,000 for 2006.

Please direct questions regarding this ordinance to the Police Chief.

**11.e.4. Motion authorizing the solicitation of bids for public safety vehicles; communications and paging equipment; rescue tools and related equipment; surveillance, investigative, and general police equipment; fire and EMS emergency equipment and apparatus; and sale/disposal of surplus property, equipment, and vehicles**

See Item 11.d.2. This motion would cover safety-related items with the potential for public bidding."

**Planning & Zoning Committee, James W. Sumner, Chairperson**

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2005-72 by title only (it having been read in full during the Public Hearing).

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-72

APPROVING A SPECIAL USE PERMIT AND RELATED DEVELOPMENT PLAN FOR A RESIDENTIAL GROUP HOME UNDER SECTION 1121.01 (84), 1149.03(A) (6) AND CHAPTER 1183 OF THE CODIFIED ORDINANCES OF THE CITY OF BLUE ASH IN THE R-3 RESIDENTIAL DISTRICT ON PROPERTY LOCATED AT 4680 HUNT ROAD (HAMILTON COUNTY AUDITOR'S BOOK 612, PAGE 50, PARCELS 300, 301, 302, AND 463)

Councilman Sumner moved, Councilwoman Stoller seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Sumner moved, Councilman Weber seconded to adopt Ordinance No. 2005-72. Councilman Sumner commented that this project was recommended unanimously by the Planning Commission, and that he is looking forward to the Halom House being a part of his neighborhood. In addressing a question from Councilman Stacey, Mr. Thompson reiterated that all notification requirements were followed and that the press is also sent copies of the Council and Planning Commission agendas approximately one week before the meeting. There being no further discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2005-72 passed.

Councilman Sumner asked the Clerk of Council to read Ordinance No. 2005-76 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-76

AUTHORIZING THE CITY MANAGER TO RENEW AND ENTER INTO AN AGREEMENT FOR PROFESSIONAL ELECTRICAL INSPECTION SERVICES IN 2006 WITH INSPECTION BUREAU, INC.; AND DECLARING AN EMERGENCY

Councilman Sumner moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Sumner moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-76. In addressing a question from Councilman Sumner, Assistant City Manager David Waltz commented that it is likely NIC will be utilized in the future for such electrical inspection services. However, it is the City's desire to work with and monitor NIC's work for the upcoming year as their specialty is building and code enforcement. Assuming their work remains acceptable, it is likely the City will add electrical inspection services to the contract. There being no further discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2005-76 passed.

**Finance & Administration Committee, Rick Bryan, Chairperson**

Councilman Bryan asked the Clerk to read Ordinance No. 2005-77 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-77

PROVIDING FOR THE TRANSFER OF FUNDS AND AMENDMENTS WITHIN THE ANNUAL APPROPRIATION ORDINANCE NO. 2005-3 FOR THE YEAR 2005 (AS SHOWN ON ATTACHMENT); AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Czerwonka seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-77. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2005-77 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2005-73 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-73

AN ORDINANCE MAKING APPROPRIATIONS FOR THE EXPENSES OF THE CITY OF BLUE ASH, OHIO, FOR THE FISCAL YEAR OF 2006; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Czerwonka seconded to adopt Ordinance No. 2005-73. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2005-73 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2005-75 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-75

AMENDING SEC. 131.07-1, 131.07-2(a), 131.07-2(b), 131.07-15, AND 131.07-45 AND ENACTING SEC. 131.07-14 AND 131.07-23 OF CHAPTER 131 OF THE BLUE ASH CODE OF ORDINANCES; AMENDING SEC. 133.18-1 AND 133.18-2(a) AND ENACTING 133.18-2(f) AND 133.18-2(g) OF CHAPTER 133 OF THE BLUE ASH CODE OF ORDINANCES; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilwoman Stoller seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2005-75. Councilman Stacey commented that in these economic times, a 4% cost of living adjustment for staff is very generous. In addressing questions from Council, Captain Jim Schaffer (18 years with Blue Ash and 26 as a police officer) commented that it was largely his recommendation for the restructuring of the department. He stressed that the recommended changes will not reduce the manpower on the street and that the changes relate more to authority to supervise. The Lieutenant classification will increase by two, and the number of Sergeants will decrease by two. Presently there is one Lieutenant and eight Sergeants. The proposed structure would have three Lieutenants and six Sergeants. The purpose is not intended to make more "administrators" for the department but improves

the authority to supervise as currently the department has Sergeants attempting to supervise other Sergeants. There being no further discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2005-75 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2005-78 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-78

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND THEREAFTER ENTER INTO A MULTI-YEAR LEASE AGREEMENT FOR CITY-OWNED REAL PROPERTY LOCATED AT 4391 CREEK ROAD, SITUATED ON THE SOUTH SIDE OF CREEK ROAD WEST OF MCKINLEY ROAD; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Czerwonka seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Bryan moved, Councilman Stacey seconded to adopt Ordinance No. 2005-78. Councilman Sumner expressed concern in the City getting into the "real estate business." In discussing the lease, Treasurer Jim Pfeffer commented that the lease has not yet been finalized, but he is working with Dinsmore & Shohl with the intent is to have the concepts as explained to Council in the memo. The leasee would have the option to buy throughout the lease period with the purchase price depending upon when the option is exercised. Even if the leasee decided after the five years not to lease the property, the City would have no problem in selling the property. After more discussion, Solicitor Vander Laan reminded Council that all contracts of the City have to be "signed off" by him as Solicitor as required in the Charter. There being no further discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Councilman Sumner voted no. Six yeses. Ordinance No. 2005-78 passed.

Councilman Bryan asked the Clerk to read Ordinance No. 2005-83 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-83

AUTHORIZING THE CITY MANAGER TO ENTER INTO COLLECTIVE BARGAINING EXTENSION AGREEMENTS WITH LOCAL 3203, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS; AND DECLARING AN EMERGENCY

Councilman Bryan moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeses. Motion carried.

Councilman Bryan moved, Councilman Sumner seconded to adopt Ordinance No. 2005-83. There being no discussion, the Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeses. Ordinance No. 2005-83 passed.

**Parks & Recreation Committee, Lee Czerwonka, Chairperson**

Councilman Czerwonka asked the Clerk to read Ordinance No. 2005-79 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-79

ESTABLISHING A FRAMEWORK FOR THE PRODUCTION AND ADMINISTRATION OF MAJOR SPECIAL EVENTS WITHIN THE PARKS &

RECREATION DEPARTMENT; AUTHORIZING THE CITY MANAGER,  
AND A SPECIFIC DESIGNEE, TO ENTER INTO A RANGE OF CONTRACTS  
ENABLING THE PRESENTATION OF MAJOR SPECIAL EVENTS WITHIN  
THE CITY OF BLUE ASH FOR 2006; AND DECLARING AN EMERGENCY

Councilman Czerwonka moved, Councilwoman Stoller seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Czerwonka moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-79. Councilman Sumner expressed concern with waiving of formal bidding. After some discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Weber, and Mayor Buckman voted yes. Councilman Sumner voted no. Six yeases. Ordinance No. 2005-79 passed.

Councilman Czerwonka asked the Clerk to read Resolution No. 2005-19 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2005-19

ESTABLISHING FEES FOR THE USAGE OF RECREATIONAL  
FACILITIES AND EQUIPMENT OF THE CITY OF BLUE ASH,  
OHIO

Councilman Czerwonka moved, Councilman Stacey seconded to adopt Resolution No. 2005-19. In answering questions from Council, Parks & Recreation Director Chuck Funk commented that golf fees have not been increased for approximately five years. Comparable courses are surveyed as to their fees, and the goal is to have Blue Ash's fall within that range. Regarding the corporate membership, Mr. Funk explained that the Economic & Community Development Director had discussed this as some interest in the business community had been expressed. Mr. Funk commented that other courses also have had positive experiences with such a membership. There being no further discussion, the Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Resolution No. 2005-19 passed.

**Public Works Committee, Henry S. Stacey, Chairperson**

Councilman Stacey asked the Clerk to read Ordinance No. 2005-80 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE 2005-80

AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
CONTRACT FOR SOLID WASTE AND RECYCLING  
COLLECTION AND DISPOSAL SERVICES (MARCH 1, 2006  
THROUGH MARCH 1, 2011); AND DECLARING AN  
EMERGENCY

Councilman Stacey moved, Councilwoman Stoller seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilman Stacey moved, Councilwoman Stoller seconded to adopt Ordinance No. 2005-80. Councilman Stacey commented favorably on the prices and clarified that the new contract would not delay pickup except if Christmas and New Year's Day would fall on a weekday. There being no further discussion, the Clerk called the roll. Councilpersons Stoller, Sumner, Weber, Stacey, Czerwonka, Bryan, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2005-80 passed.

Councilman Stacey moved, Councilman Czerwonka seconded to authorize the solicitation of bids for street striping materials; street sign materials; guardrail materials; curb, gutter, and concrete construction and restoration; sidewalk construction; construction and

demolition debris disposal services; work associated with storm sewer upgrades; residential household drop-off hazardous waste disposal services; traffic control systems and equipment, including signal improvements planned at Glendale-Milford and Plainfield Roads; 2006 street program and other road improvement projects; aggregates, asphalt, and other resurfacing material; piping material; storm sewer material; Service Department vehicles and equipment; installation of raised pavement markers; bulk rock salt; traffic line painting; extruded curb installation; fencing materials; tree trimming and removal services; and sale/disposal of excess property and equipment. A voice vote was taken. All members voted yes. Motion carried.

**Public Safety Committee, Stephanie Stoller, Chairperson**

Councilwoman Stoller asked the Clerk to read Resolution No. 2005-20 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

RESOLUTION NO. 2005-20

ELECTING STEPHANIE STOLLER AND DAVID M. WALTZ TO THE VOLUNTEER FIRE FIGHTERS' DEPENDENTS FUND BOARD AND ACKNOWLEDGING THE ELECTION OF RICK BROWN AND EDWARD HAMILTON TO THE VOLUNTEER FIRE FIGHTERS' DEPENDENTS FUND BOARD FOR THE TERM EXPIRING JANUARY 1, 2007

Councilwoman Stoller moved, Councilman Czerwonka seconded to adopt Resolution No. 2005-20. The Clerk called the roll. Councilpersons Sumner, Weber, Stacey, Czerwonka, Bryan, Stoller, and Mayor Buckman voted yes. Seven yeases. Resolution No. 2005-20 passed.

Councilwoman Stoller asked the Clerk to read Ordinance No. 2005-81 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-81

AUTHORIZING THE PURCHASE OF SEVEN POLICE CRUISERS PLUS RELATED ACCESSORIES THROUGH THE STATE OF OHIO'S COOPERATIVE PURCHASING AGREEMENT FOR AN AMOUNT NOT TO EXCEED \$120,039 (NET OF TRADE-IN VALUES); AND DECLARING AN EMERGENCY

Councilwoman Stoller moved, Councilman Stacey seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Weber, Stacey, Czerwonka, Bryan, Stoller, Sumner, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilwoman Stoller moved, Councilman Weber seconded to adopt Ordinance No. 2005-81. There being no discussion, the Clerk called the roll. Councilpersons Stacey, Czerwonka, Bryan, Stoller, Sumner, Weber, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2005-81 passed.

Councilwoman Stoller asked the Clerk to read Ordinance No. 2005-82 by title only.

THEN WAS PRESENTED AND READ BY TITLE ONLY:

ORDINANCE NO. 2005-82

AUTHORIZING THE CITY MANAGER TO ENTER INTO A 2006 CONTRACT WITH YOUTH SERVICES OF READING, OHIO, FOR AN AMOUNT NOT TO EXCEED \$38,000 (INCLUDES BASE CONTRACT WITH OPTIONAL ADD-ON SERVICE); AND DECLARING AN EMERGENCY

Councilwoman Stoller moved, Councilman Sumner seconded to suspend the rules of Council requiring a second reading of the ordinance. The Clerk called the roll. Councilpersons Czerwonka, Bryan, Stoller, Sumner, Weber, Stacey, and Mayor Buckman voted yes. Seven yeases. Motion carried.

Councilwoman Stoller moved, Councilman Czerwonka seconded to adopt Ordinance No. 2005-82. There being no discussion, the Clerk called the roll. Councilpersons Bryan, Stoller, Sumner, Weber, Stacey, Czerwonka, and Mayor Buckman voted yes. Seven yeases. Ordinance No. 2005-82 passed.

Councilwoman Stoller moved, Councilman Stacey seconded to authorize the solicitation of bids for public safety vehicles; communications and paging equipment; rescue tools and related equipment; surveillance, investigative, and general police equipment; fire and EMS emergency equipment and apparatus; and sale/disposal of surplus property, equipment, and vehicles. A voice vote was taken. All members voted yes. Motion carried.

***MISCELLANEOUS BUSINESS***

City Manager Thompson addressed the memo included in Council packets about the United Medical Resources parking dilemma at the Pfeiffer Woods office building at the southeast corner of Pfeiffer and Kenwood Roads. Within the past couple of years, Council approved a plan for construction of deck parking in the rear. However, UMR and Duke (the owner of the building) were not able to complete this because it was cost prohibitive, partly due to soil conditions. He explained that the only on-site solution for additional parking would be to use the retention basin portion of the property to provide additional parking, with the detention basin to be relocated underground. This would eliminate the lake from the Pfeiffer Woods Park property, owned by the City. Mr. Thompson commented that he believes the City should allow this as UMR may have to relocate outside of Blue Ash otherwise. In addressing questions from Council, Mr. Thompson explained that the number of spaces would be close to the deck once proposed, and that the City has been working closely with CDS engineers to assure that the basin could handle the runoff. Treasurer Jim Pfeffer commented that if mounding were added along Kenwood Road to shield the parking area, that would also take away existing green space of the park. This proposed parking change would be constructed at the expense of UMR and Duke – not Blue Ash. After some discussion, no Council member expressed an objection to this concept and encouraged the Administration to consider conveying as much of the land as possible to Duke for future upkeep and maintenance.

Mr. Thompson commented that Watson Bros. restaurant has experienced what they describe as an accounting problem in 2004, resulting in their liquor license being taken away this week. Though there is little the City can do to assist, it is anticipated that Watson's will soon reapply for a liquor license. What the City can do is expedite this liquor license process, as the State has also promised. In that light, Mr. Thompson asked if Council would have any objection to the State's issuance of a new or renewed license to Watson Bros. Councilwoman Stoller moved, Councilman Stacey seconded to approve such a new or renewed license for the Watson Bros. restaurant. A voice vote was taken. All members voted yes. Motion carried.

Assistant City Manager David Waltz wished Council happy holidays.

Councilman Weber commented that after hearing the positive comments about the Halom House, he is proud to be a citizen of Blue Ash.

Councilman Stacey commented that he would like to see some changes and updates to the City's website. Currently the button related to Council minutes appears not to be working

and he believes that the Administration should be listed. Public Information Officer Sue Bennett commented that these changes/additions will be made.

Councilman Czerwonka wished fellow Council and the Administration happy holidays.

Councilman Bryan commented that the Administration should think of ways to draw people into the process and should try to take the extra step to get the word out about projects such as Halom House.

Councilwoman Stoller complimented the 2006 Community Calendar. Though residents have not yet received them (but soon will), she believes they will enjoy this year's format and information.

Mayor Buckman wished all happy holidays.

***ADJOURNMENT***

All items on the agenda having been acted upon, Councilman Czerwonka moved, Councilman Stacey seconded to adjourn the meeting. A voice vote was taken. All members voted yes. The Council meeting was adjourned at approximately 8:52 PM.

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Robert J. Buckman, Jr., Mayor

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Jamie K. Eifert, Clerk of Council

MINUTES WRITTEN BY:

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Susan K. Bennett, Deputy Clerk of Council